

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA

-FILED-

SEP 12 2023

At Chanda J. Berla, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

Mellissa Gibson and Antonio Gibson

[You are the **PLAINTIFF**, print your full name on this line.]

v.

The City Of Lafayette Indiana Division of family
~~services~~

[The **DEFENDANT** is who you are suing. Put ONE name on this line. List ALL defendants below, including this one.]

Case Number

4:23 cv 78

[For a new case in this court, leave blank.

The court will assign a case number.]

[The top of this page is the caption. Everything you file in this case must have the same caption. Once you know your case number, it is VERY IMPORTANT that you include it on everything you send to the court for this case. DO NOT send more than one copy of anything to the court.]

CIVIL COMPLAINT

#	Defendant's Name and Job Title	Address
1	[Put the defendant named in the caption in this box.] The city of Lafayette Indiana Division of Family Service	250 Main St Lafayette In47901
2	[Put the names of any other defendants in these boxes.] FCM Michelle Seymore, Lorie Tisson, FCM Brittany Morehouse, DCS Supervisors of fcms, Brends CASA	250 Main St Lafayett IN 47901 301 Main St 5th Floor, Lafayette, IN 47901
3	Heather Hamstra Lafayette Indiana Fransiscan health East, Michael Trumell, Brenda Casa	136 N 3rd St Lafayette IN 47901- Troemel 1701 S. Creasy Lane Lafayette IN 47905-Heather Hamstra, Fransiscan

[If you are suing more defendants, attach an additional page. Number each defendant. Put the name, job title, and address of each defendant in a separate box as shown here.]

1. How many defendants are you suing? 1

2. What is your address? 2346 N 24th st Lafayette Indiana 47904

3. What is your telephone number: (765) 421-5186j

4. Have you ever sued anyone for these exact same claims?

☒ No.

☐ Yes, attached is a copy of the final judgment OR an additional sheet listing the court, case number, file date, judgment date, and result of the previous case(s).

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]

CLAIMS and FACTS

DO: Write a short and plain statement telling what each defendant did wrong.

DO: Use simple English words and sentences.

DO NOT: Quote from cases or statutes, use legal terms, or make legal arguments.

DO: Explain when, where, why, and how these events happened.

DO: Include every fact necessary to explain your case and describe your injuries or damages.

DO: Number any documents you attach and refer to them by number in your complaint.

DO NOT: Include the names of minors, social security numbers, or dates of birth.

DO: Use each defendant's name every time you refer to that defendant.

DO: Number your paragraphs. *[The first paragraph has been numbered for you.]*

1. DCS Of Lafayette Indiana harrassed me for the years of 2019, and 2020

On March 7th 2030 DCS of Lafayette Indiana Lorie Tisson illegally walked in my home violating my 4lth amendment. From March 9th to March 27th 2023 FCM Lorie Tenslie bullied and intimidated me to doing what prosecutor wanted. On March 28th DCS violated policy and state law and DCS handbook policy. On March 28th DCS intervined with no jurisdiction. Causing emotinal Trama to my familey. Triggering already existing ptsd. On April 26th 2023 DCS Brittany morehouse removed my newborn under false pretenses and knowingly falsiefied and supressed evidence and lied under oath at court. On May 22nd 2023 DCS kept my children under false Pretenc and DCS employees knowingly falsiefied and supressed evidence. From March 28th 2023 through currnt date 08/23/2023 FCM Michelle Seymore has knowingly falsfied and supressed evidence to all service providers. Caseworker Michelle Seymore has continued to violate my parental rights, state laws, and breached my family confidentiality on multiple occasions. FCM Michelle Seymore and violated multiple agency policys. DCS has violated the American with disibility act. FCM Michelle Seymore and Brenda Cassa has used visitations as punishment due to personal feelings towards me. Brenda Cassa and fcm Michelle Seymore has been intimidating and took my right away to choose my own provider. FCM Michelle Seymore And casa Brenda held my children against me for too long of a period.

Section 1 continues on additinal page....

Claims and Facts (continued)

2. My Attorney Michale Troemel was negligent, and verbally abusive,
through out the whole cps case. Mr. Troemel was negligent on every court
hearing date, and aggressive during appointments.

PRIOR LAWSUITS – Have you ever sued anyone for this exact same event?

- ☐ No.
- ☒ Yes, attached is a copy of the final judgment OR an additional sheet listing the court, case number, file date, judgment date, and result of the previous case(s).

RELIEF – If you win this case, what do you want the court to order the defendant to do?

DCS of Lafayette Indiana and Fransiscan Health East needs to beter train new employees
maintain training through-out career and hold employees accountable. Mr. Trumell to be held
accountable and Treat his clients with respect listen and try to help them. DCS employees
envolved and Heather Hamstat to be held accountable. Puntative Damages for all the emotinal
stress and trauma, and neglegents and rights violated and time taken for family

FILING FEE – Are you paying the filing fee?

- ☐ Yes, I am paying the \$402.00 filing fee. I understand that I am responsible to notify the defendant about this case as required by Federal Rule of Civil Procedure 4. *[If you want the clerk to sign and seal a summons, you need to prepare the summons and submit it to the clerk.]*
- ☒ No, I am filing a Motion to Proceed In Forma Pauperis and asking the court to notify the defendant about this case.

[Initial Each Statement]

- _____ I will keep a copy of this complaint for my records.
- _____ I will promptly notify the court of any change of address.
- _____ I declare **under penalty of perjury** that the statements in this complaint are true.

Muller J. Gar
Signature

Date

Continued 1. DCS Supervisors, DCS Department manager and Regional Manager knowingly new caseworkers were falsifying and suppressing evidence, helped coach and helped falsifying and suppressing evidence. DCS supervisors helped cover up my children being taken and withheld. Joyce Fasani Michells Seymore supervisor let FCM Michelle Seymore get away with not going by the policy and state law and let FCM Michelle Seymore keep my children for too long. Michelle Seymor DCS caseworker and Brenda Cassa has continued to keep my children away knowingly that they are causing trauma to my children. DCS and FCM Michel Seymore and Brittany Morehouse violated my husband's and my own American with disability act.

3. Lafayette Indiana Franciscan Health East has failed to provide adequate HIPPA training consistent with patient confidentiality. Franciscan Health East failed to make sure that their employees were abiding by HIPPA regulations and implementing HIPPA practices. On April 26th, 2023, Heather Hamstra Social worker at Franciscan health East broke HIPPA patient confidentiality by giving out my medical history without my permission to FCM Brittany Morehouse. Heather Hamstra social worker contributed to my emotional distress. I think it is important to notate that Heather Hamstra Social worker was previously a DCS caseworker, and Heather Hamstra's words which was stated to FCM Brittany Morehouse was used in a DCS court proceeding to remove my Newborn daughter.

4. In Conclusion DCS has violated my 4th and 1st amendment rights, my parental rights, my right to a medical provider of my choice and used my husband's disability against him and my mental health against me. DCS caseworkers broke state law and violated codes within the agency's Handbook. They have cause emotional and mental damage to myself and my family, triggered preexisting conditions, stress, and anxiety in myself. I would like to sue DCS for defamation of character and embarrassment. They took my chance away to breast feed my newborn. DCS caseworkers took valuable bonding time away from the baby and newborn and sibling bonding time and bonding time with newborn and parents. DCS has taken the right way to protect my children away, bonding time away from our children with their parents. Family moments and memory were stricken from us and Religious traditions. My Attorney Michael Troemel has been negligent and abusive and took my right to appeal away. Michaael Troemel has caused stress and emotional damage. Lafayette Indiana Franciscan health east has failed to provide the training to employees and failed to make sure that their employees are abiding by HIPPA regulations and implementing HIPPA practices. Heather Hamstra has violated my HIPPA rights and contributed to my emotional distress. Heather Hamstra has violated my right to have my husband in the room as she spoke with me contributed to taking my right to breastfeed away and contributed with taking boning time away from family and family moments and religious traditions.

5. Due to DCS removing my 3-day old newborn daughter under false pretenses and withholding my children under false pretense. Has cause triggers with my PTSD has caused new PTSD to occur, has made my anxiety come back. Because of DCS interference they cause emotional and mental stress on my husband and I and our children. Because of CPS involvement my children have had to start seeing therapist because emotional trauma from being taken from my husband and I. My children are being caused emotional and mental stress and trauma, they now have PTSD and separation anxiety. From the actions of CPS, CPS assessment workers, and CPS supervisors and Reginal Manager.

Michael Troemel has caused emotional distress and lacked to represent me adequately.

Franciscan health East Heather Hamstra social worker has helped contribute to my and my family's emotional distress, and emotional damages.

I am Requesting A Jury Trial.

Relief continued....

Askin in punitive damages, negligent and emotional distress equalizing \$5,250,000 For My whole Family.

I am asking for a jury trial in this matter. Thank you

Melissa Hulse